



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: April 07, 2006
Comment Deadline: May 08, 2006
Corps Action ID #: 200620724

The Wilmington District, Corps of Engineers (Corps) has received an application from Centex Homes seeking Department of the Army authorization to impact approximately 343 linear feet of stream channels and 0.11 acres of wetlands of the jurisdictional waters of Kerners Mill Creek associated with the development of Phase 3 of the existing Vernon Farms residential community that includes construction of roads, building pads, and stormwater ponds.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: Centex Homes
556 Arbor Hill Road, Suite L
Kernersville, NC 27284

AGENT (if applicable): ECS Carolinas, LLP
4811 Koger Boulevard
Greensboro, NC 27407

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

Location

The 237-acre proposed project site is located north of Kernersville Road in Winston Salem, Forsyth County, North Carolina. Coordinates (in decimal degrees) for the site are 36.0939517 North, 80.1585515 West. The site is adjacent to Kerners Mill Creek in the Yadkin River Basin (8-Digit Cataloging Unit 03040101).

Existing Site Conditions

The land use in the area surrounding the project consists of single-family housing, forested tracts, and agricultural tracts. The area is currently subject to increasing residential pressure.

Centex Homes is proposing construction of Phase 3 of the existing Vernon Farms Subdivision. Unnamed tributaries to Kerners Mill Creek flow to the north across the site. Construction for Phase 1 included 149 linear feet of stream channel impacts and 0.219 acres of wetland impacts to jurisdictional waters associated with a road, grading, and parking that were authorized by Department of the Army (DA) general permits on February 26, 2004. Phase 2 included 149 linear feet of stream channel impacts and 0.197 acres of wetland impacts to jurisdictional waters associated with a road and lot fill that were authorized by DA general permits on October 24, 2005. Mitigation for the previous impacts was satisfied by payment to the North Carolina Wetland Restoration Program / North Carolina Ecosystem Enhancement Program.

In order to develop Phase 3 of the project, access roads, stormwater ponds and building pads must be constructed.

Applicant's Stated Purpose

As stated by the applicant, the purpose of the project is to develop a residential community that includes a mixture of single and multi-family residences.

Project Description

The project consists of the construction of a residential community that impacts regulated Waters of the US for the construction of roads, stormwater ponds, and building lots. Impacts to Waters of the US (stream channels) would result from piped road crossings that access high ground and wetland impacts would result from the construction of stormwater ponds and building pads.

Approximately 343 linear feet of stream channel would be piped in conjunction with road construction. There are three road crossings planned for the proposed Phase 3 project. The streams crossings would provide access to the western portion of the property. The proposed impacts have been minimized by the use of headwalls, 2:1 side slopes, and the avoidance of the use of rip-rap in the channels. Approximately 0.056 acres of wetlands would be impacted by the proposed construction of two stormwater ponds. The stormwater ponds are required by both the City of Winston-Salem and the North Carolina Division of Water Quality. The ponds would be part of the overall stormwater management plan for the development designed to remove 85% total suspended solids. Lastly approximately 0.053 acres of wetlands would be impacted by a proposed lot fill associated with the construction of a pad for a townhome unit.

The applicant proposes to mitigate for permanent impacts to jurisdictional waters (both stream channels and wetlands) by payment to the North Carolina Ecosystem Enhancement Program (EEP). By letter dated March 17, 2006, the EEP stated their willingness to accept payment and provide 0.11 acres of riparian wetland mitigation and 343 linear feet of warm water stream channel mitigation in the Yadkin Basin (8-Digit Cataloging Unit 03040101).

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by May 01, 2006.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service."

Evaluation

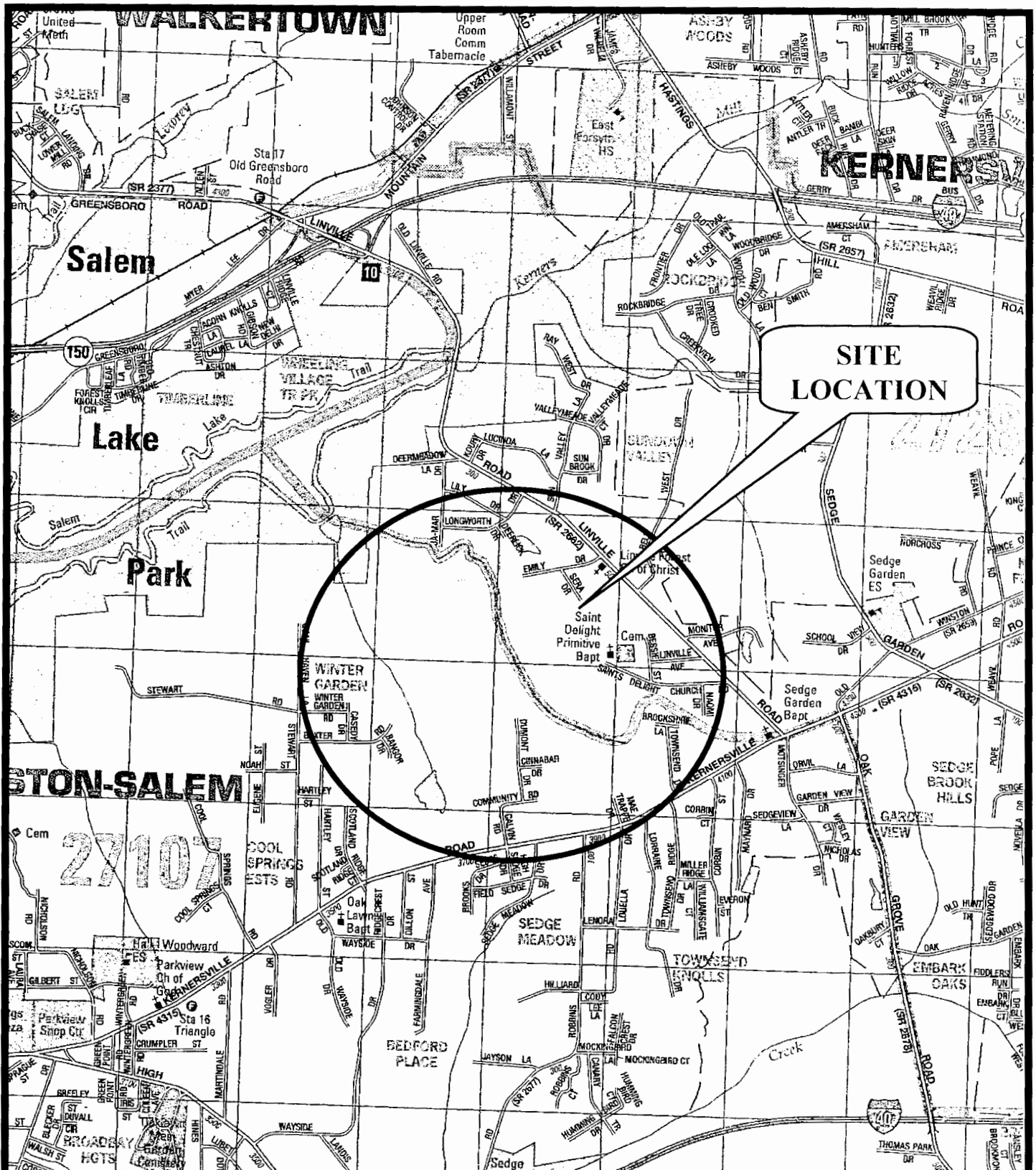
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, May 08, 2006. Comments should be submitted to John Thomas, Raleigh Regulatory Field Office, 6508 Falls of the Neuse Road, Suite 120, Raleigh, NC 27615.



SOURCE:

GREATER PIEDMONT TRIAD
STREET MAP BOOK
MAP 740

SCALE: 1"=4 MILES



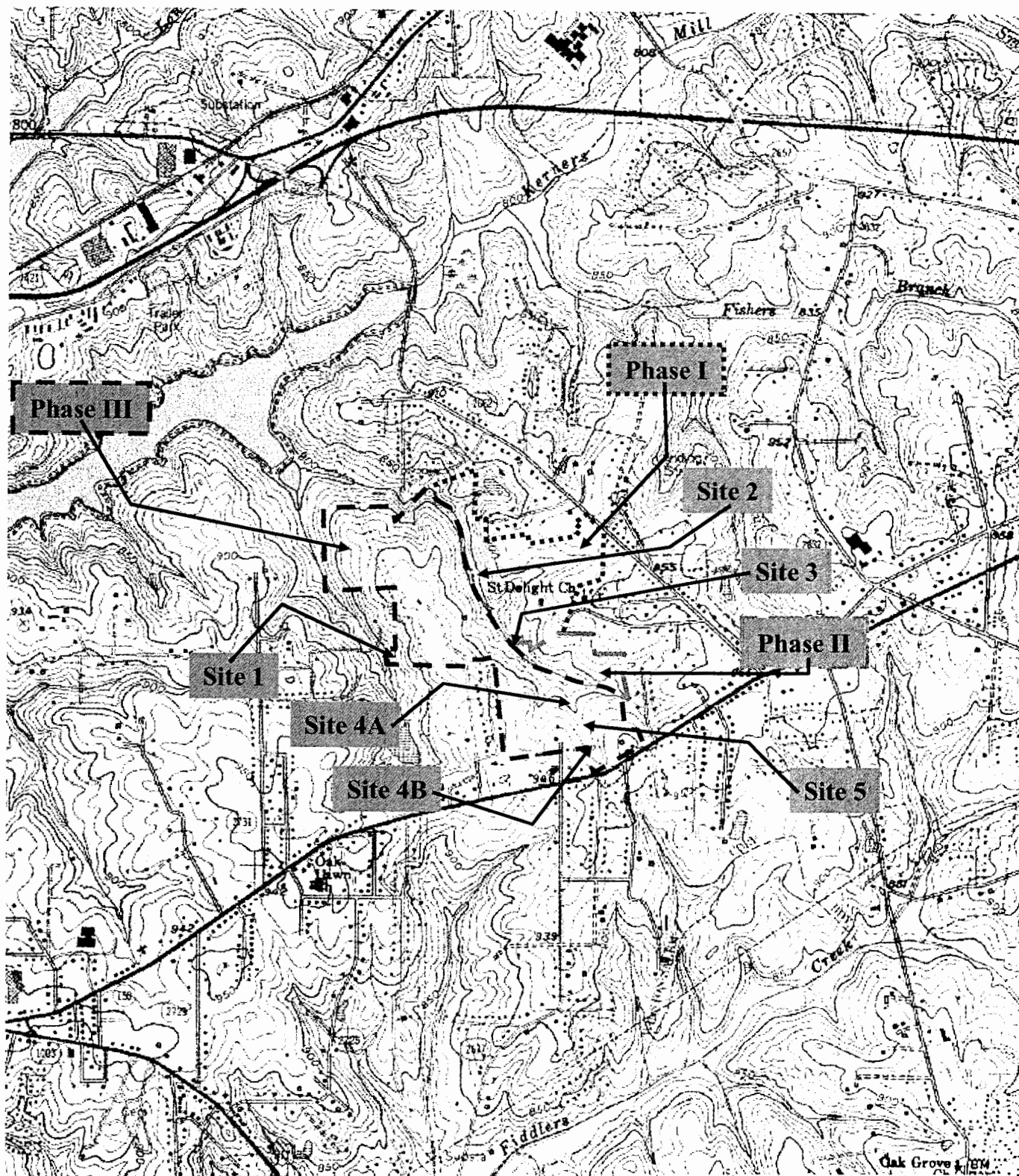
ENGINEERING CONSULTING SERVICES, LTD.

VICINITY MAP

CENTEX HOMES - VERNON FARMS
FORSYTH COUNTY
WINSTON-SALEM, NORTH CAROLINA

ECS PROJECT NO. G-12276

FIGURE 1 OF 12



SOURCE:

USGS TOPOGRAPHIC MAP
WINSTON-SALEM EAST, NC QUADRANGLE
DATED 1950, REVISED 1994

SCALE: 1"=2,000'



ENGINEERING CONSULTING SERVICES, LTD

SITE LOCATION MAP

CENTEX HOMES - VERNON FARMS
FORSYTH COUNTY
WINSTON-SALEM, NORTH CAROLINA

ECS PROJECT NO. G-12276

FIGURE 2 OF 12

CENTEX HOMES
556 ARBOR HILL ROAD
SUITE L
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

OVERALL MAP
VERNON FARMS
PHASE 3
STREAM & WETLANDS MAPS
KEY MAP
MARCH 14, 2006
SCALE: 1" = 500'

SITE #1

SITE #3

SITE #2

25' UNDISTURBED
BUFFER
TOTAL LINEAR FEET
OF STREAM BUFFER
= 2,485 LF

RECEIVED

MAR 27 2006

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

[illegible]

CONTROL CORNER #1
N= 3012.91
E= 8154.99

CONTROL CORNER #2
N= 1659.40
E= 7971.66

SITE #3

25' UNDISTURBED
STREAM BUFFER
TOTAL LINEAR FEET
OF STREAM BUFFER
- 2630 LF

SITE #4A

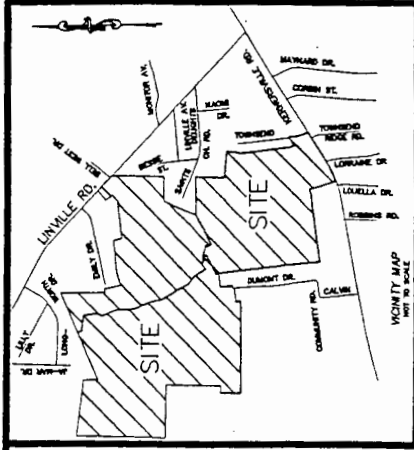
SITE #5

SITE #4B

OWNER/DEVELOPER
CENTEX HOMES
556 ARBOR HILL ROAD
SUITE 1
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

OVERALL MAP
VERNON FARMS
PHASE 3
STREAM & WETLANDS MAPS
KEY MAP
MARCH 14, 2006
SCALE: 1" = 500'

FIG 5 OF 12

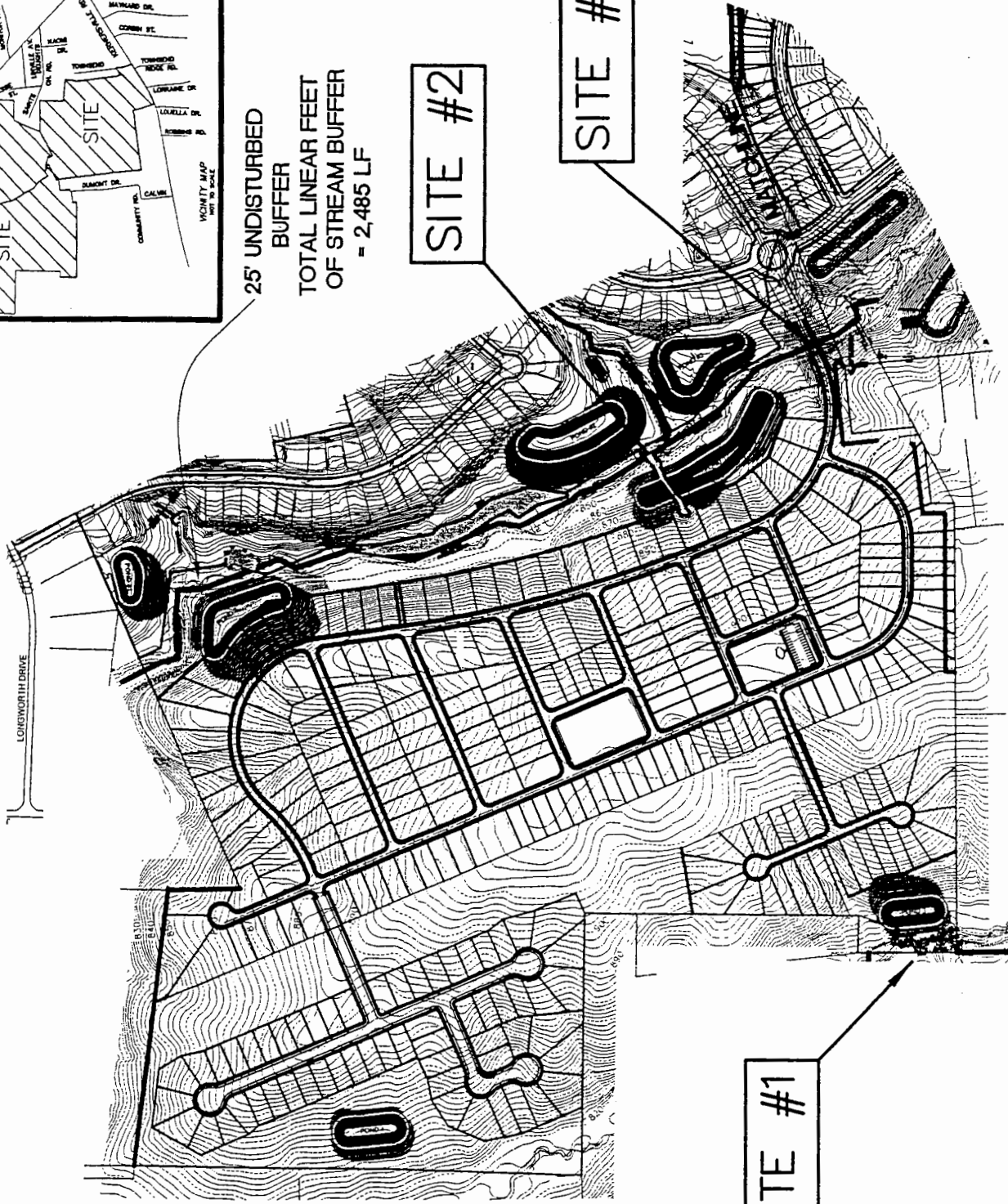


25' UNDISTURBED
BUFFER
TOTAL LINEAR FEET
OF STREAM BUFFER
= 2,485 LF

SITE #2

SITE #3

SITE #1



Anthony D. Lester
 CAROLINA PROFESSIONAL ENGINEER
 B-17006
 ANTHONY D. LESTER

OWNER/DEVELOPER

CENTEX HOMES
 556 ARBOR HILL ROAD
 SUITE L
 KERNERSVILLE, NC 27284
 PHONE: (336) 992-7777

OVERALL MAP
 VERNON FARMS
 PHASE 3
 STREAM & WETLANDS MAPS
 KEY MAP
 FEBRUARY 13, 2006
 SCALE: 1" = 500'

SITE #3

SITE #4A

OWNER/DEVELOPER

CENTEX HOMES
556 ARBOR HILL ROAD
SUITE L
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

OVERALL MAP
VERNON FARMS
PHASE 3
STREAM & WETLANDS MAPS
KEY MAP
MARCH 14, 2006
SCALE: 1" = 500'

SITE #5

SITE #4B

CONTROL CORNER #2
N= 1659.40
E= 7971.66

RECEIVED

MAR 27 2006

RALEIGH REGULATORY FIELD OFFICE

CONTROL CORNER #1
N= 3012.91
E= 8154.99

BROOKS RE I AMF

RS9.

Anthony D. Lester
19773
3-17-06
ENGINEER

DWG: DRAWINGS\MOUNT VERNON\VF PH 3 Wetland.dwg

SCALE 1" = 60'

GRAPHIC SCALE

FIG 7 OF 12

(IN FEET)

1 inch = 60 ft.



STREAM and WETLANDS IMPACT MAP

FOR

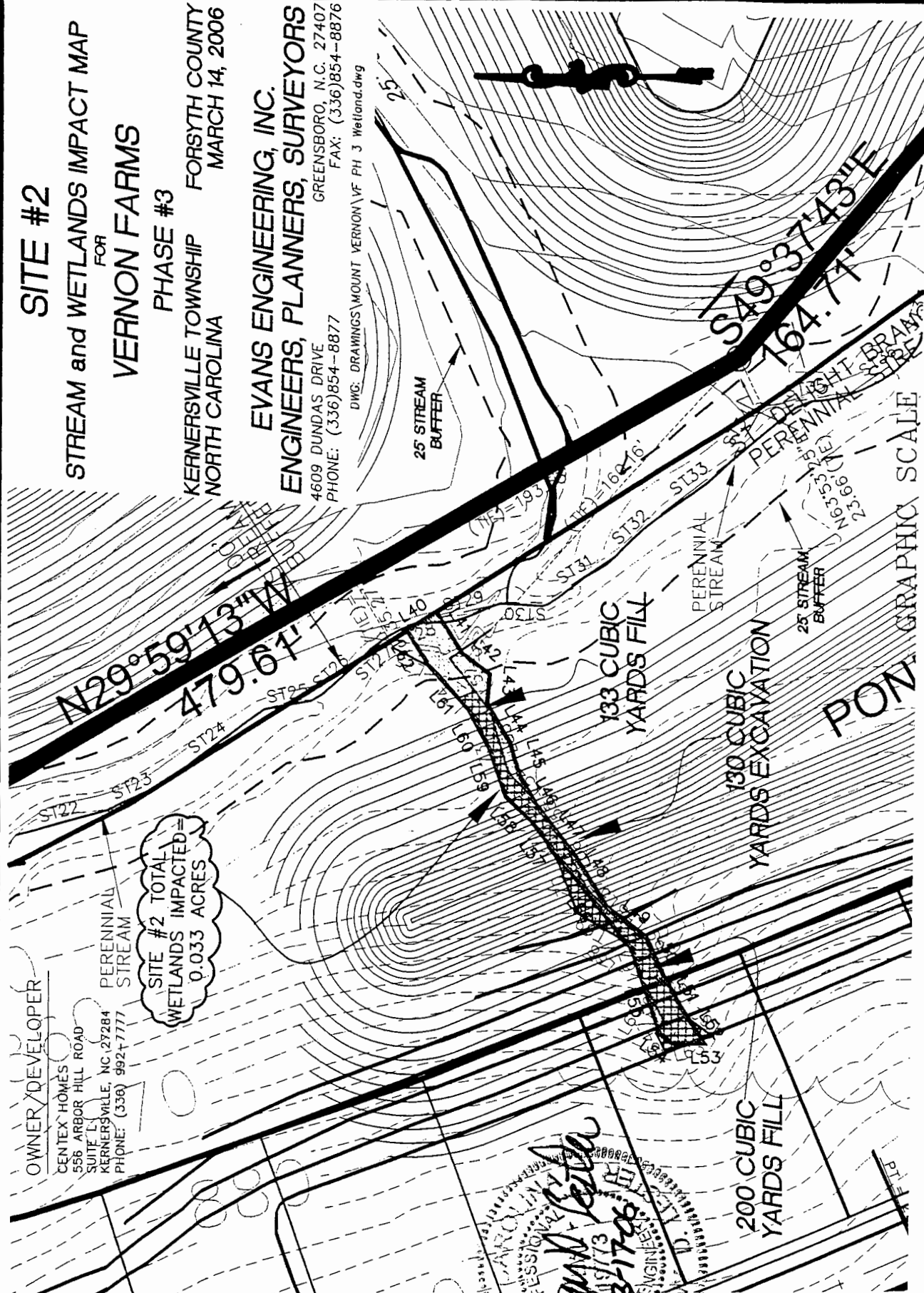
VERNON FARMS

PHASE #3

KERNERSVILLE TOWNSHIP
NORTH CAROLINA
FORSYTH COUNTY
MARCH 14, 2006

EVANS ENGINEERING, INC.
ENGINEERS, PLANNERS, SURVEYORS
1609 DUNDAS DRIVE
GREENSBORO, N.C. 27407
PHONE: (336)854-8877
FAX: (336)854-8876

DWG: DRAWINGS\MOUNT VERNON\VF PH 3 Wetland.dwg



VERNON FARMS

SCALE 1" = 60'



(IN FEET)

1 inch = 60 ft.

FIG 00 OF 12

CENTEX HOMES
556 ARBOR HILL ROAD
SUITE L
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

25-STREAM-
BUTTER

PERENNIAL
STREAM

STREAM and WETLANDS IMPACT MAP
FOR
VERNON FARMS

PHASE #3

KERNERSVILLE TOWNSHIP
NORTH CAROLINA

EVANS ENGINEERING, INC.
ENGINEERS, PLANNERS, SURVEYORS
4609 DUNDAS DRIVE
GREENSBORO, N.C. 27407
PHONE: (336)854-8877
FAX: (336)854-8876

DWG: DRAWINGS\MOUNT VERNON\VF PH 3 Wetland.dwg

APPROXIMATE

Topographic map showing the area around the station. The map includes a scale bar and a north arrow. The station is located at the intersection of the road and the river. The map shows contour lines, a road, and a river. The station is located at the intersection of the road and the river. The map includes a scale bar and a north arrow.

25. STREAM BURNING

STREAM CROSSING #3
16" ALUMINUM PIPE

GRAPHIC SCALE

SITE #3 TOTAL
STREAM PIPED=
126 LF

VERNON FARMS

SCALE 1" = 60'

FIG 9 of 12

(IN FEET)

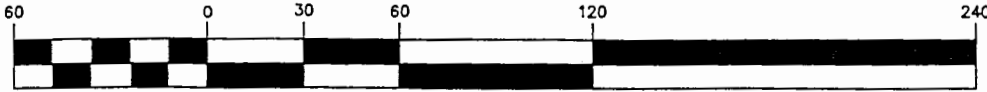


RECEIVED

GRAPHIC SCALE

FIG 10 OF 12

MAR 27 2006



(IN FEET)
1 inch = 60 ft.

SITE #4 HIGH REGULATORY FIELD OFFICE

WETLANDS AND STREAM IMPACT MAP
FOR

VERNON FARMS

PHASE #3

ABBOTTS CREEK TOWNSHIP FORSYTH COUNTY
NORTH CAROLINA **MARCH 14, 2006**

EVANS ENGINEERING, INC.

ENGINEERS, PLANNERS, SURVEYORS

4609 DUNDAS DRIVE
PHONE: (336)854-8877

GREENSBORO, N.C. 27407
FAX: (336)854-8876

PROJ: 229-19 DWG: VF2D & 2E- Wetland maps.dwg

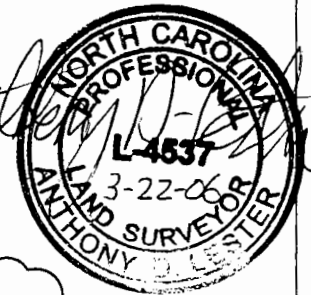


SITE #4A
109 LF OF STREAM
TO BE PIPED

SITE #4B
108 LF OF STREAM
TO BE PIPED

SITE #5
0.053 ACRES OF
WETLANDS TO
BE FILLED

**600 CUBIC
YARDS FILL**

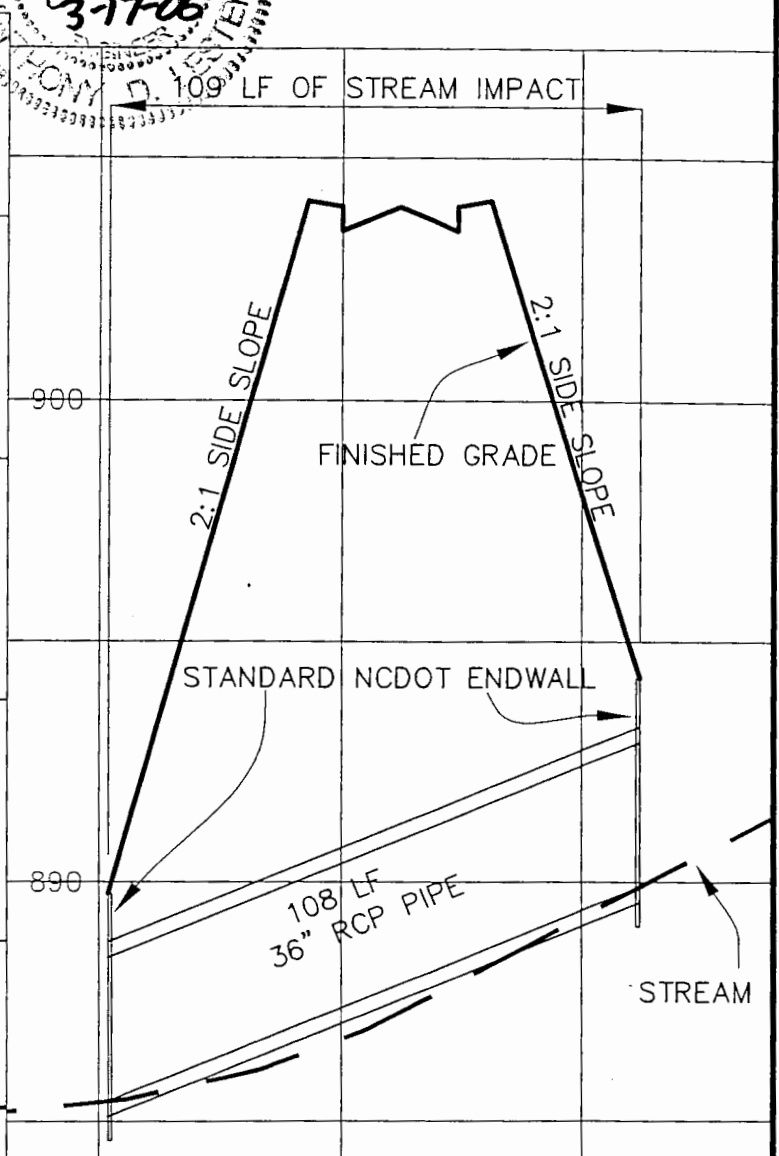
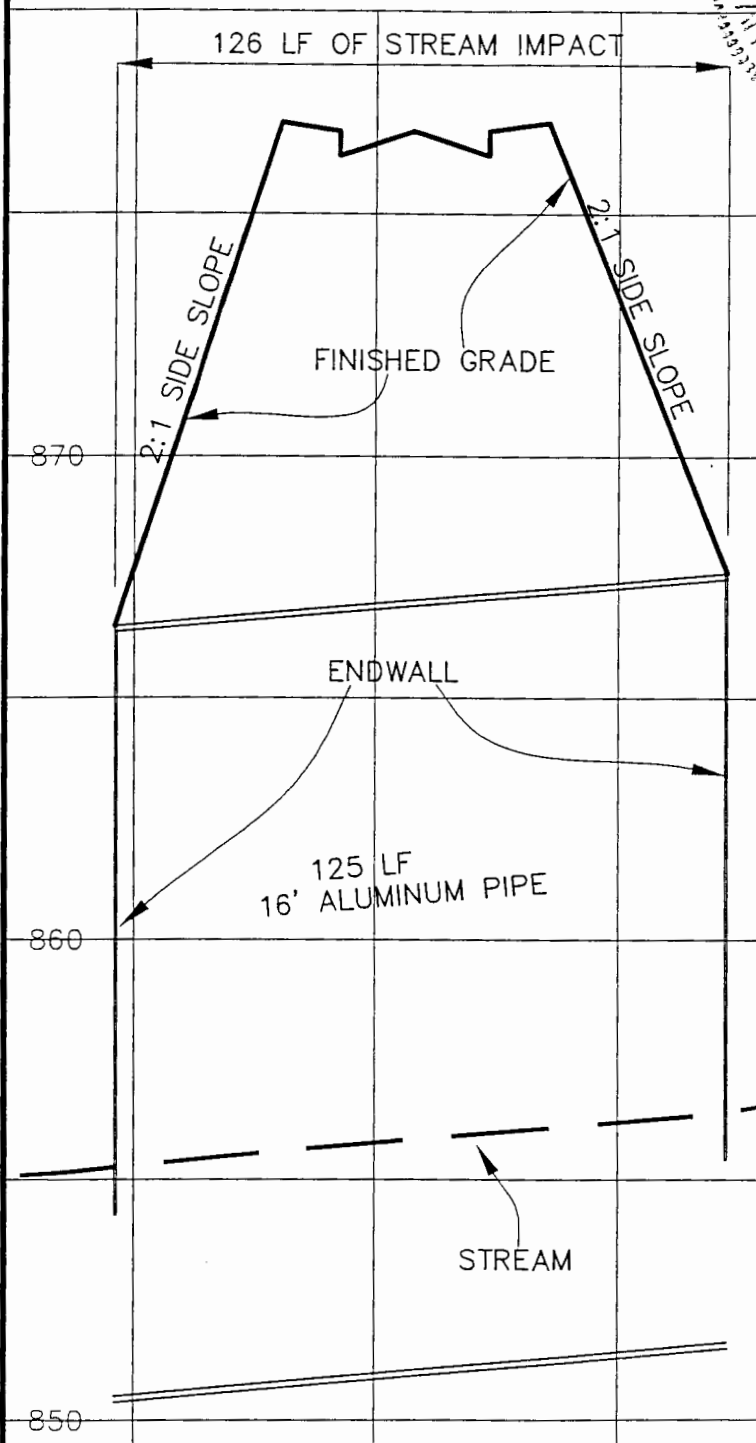


OWNER/DEVELOPER

CENTEX HOMES
556 ARBOR HILL ROAD
SUITE L
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

WASHINGTON MANOR

Anthony D. Berler
 3-17-06
 7773
 SEAL
 109 D. CENTER

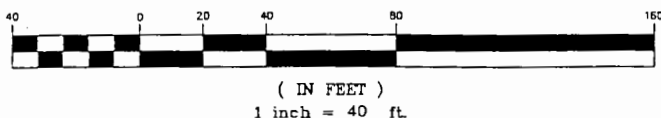


OWNER/DEVELOPER
 CENTEX HOMES
 556 ARBOR HILL ROAD
 SUITE L
 KERNERSVILLE, NC 27284
 PHONE: (336) 992-7777

CROSSING PROFILE
 WETLANDS AND STREAM IMPACT MAP
 FOR
VERNON FARMS
 PHASE #3

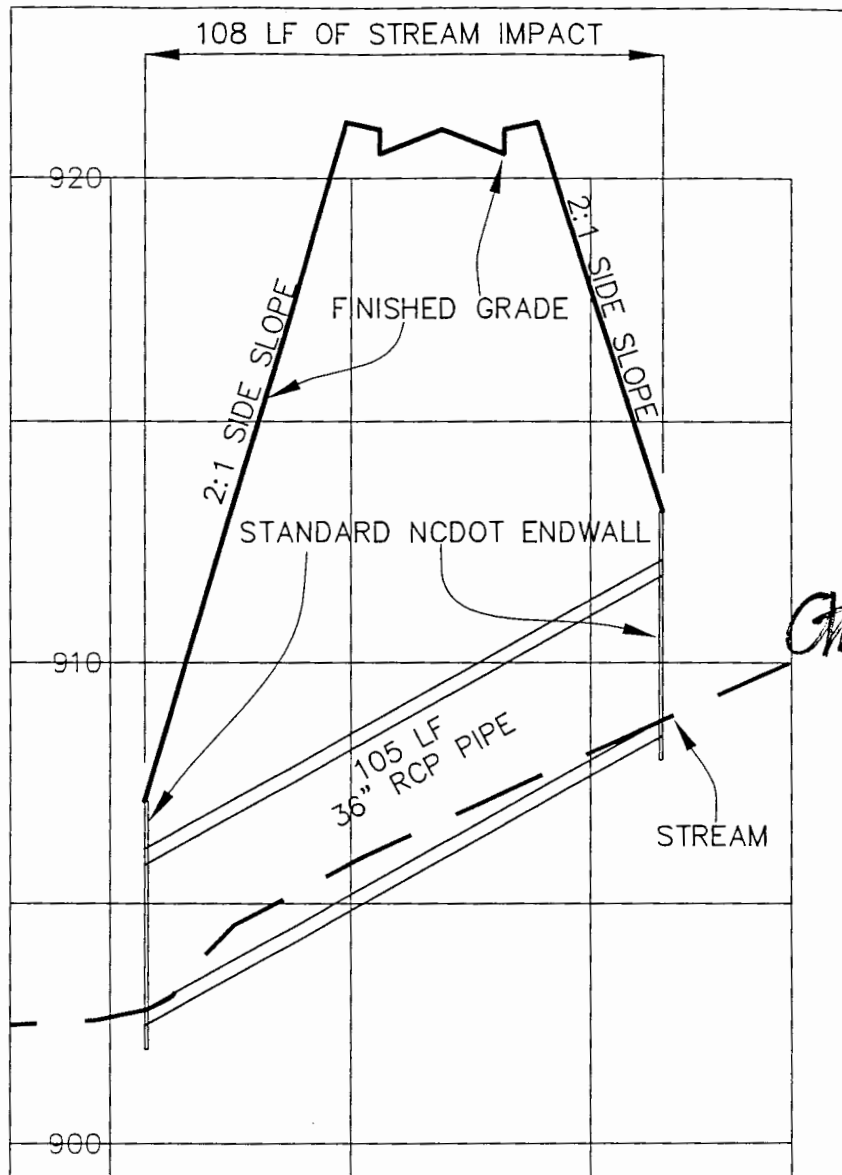
ABBOTTS CREEK TOWNSHIP FORSYTH COUNTY
 NORTH CAROLINA MARCH 14, 2006

EVANS ENGINEERING, INC.
ENGINEERS, PLANNERS, SURVEYORS
 4609 DUNDAS DRIVE GREENSBORO, N.C. 27407
 PHONE: (336)854-8877 FAX: (336)854-8876
 DWG: DRAWINGS\MOUNT VERNON\VF PH 3 Wetland.dwg



VERNON FARMS
 SCALE 1" = 40'

FIG 11 OF 12



CROSSING PROFILE
SITE # 4B

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft

VERNON FARMS

SCALE 1" = 40'

OWNER/DEVELOPER

CENTEX HOMES
556 ARBOR HILL ROAD
SUITE L
KERNERSVILLE, NC 27284
PHONE: (336) 992-7777

FIG 12 OF 12

CROSSING PROFILE

WETLANDS AND STREAM IMPACT MAP
FOR

VERNON FARMS

PHASE #3

ABBOTTS CREEK TOWNSHIP FORSYTH COUNTY
NORTH CAROLINA MARCH 14, 2006

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DWG: DRAWNGS\MOUNT VERNON\VF PH 3 Wetland.dwg

